



MONROE COUNTY

Public Safety Committee

July 26, 2021 5:30 PM

AGENDA

A. ROLL CALL

B. PUBLIC FORUM

C. APPROVAL OF MINUTES

November 23, 2020

January 7, 2021

D. NEW BUSINESS

21-0258

Enact a Local Law Entitled "Regulating Sale of Used Catalytic Converters" -
County Legislator Paul Dondorfer and County Legislator Karla F. Boyce

21-0267

Authorize the Monroe County Sheriff's Office to Accept a Gift of a Belgian Cross
Horse Named Scout from Owner Nicole Erhardt - County Executive Adam J. Bello

21-0284

Authorize an Intermunicipal Agreement with the Churchville-Chili Central School
District for Reimbursement to the Monroe County Sheriff's Office School Resource
Program - County Executive Adam J. Bello

21-0285

Authorize an Intermunicipal Agreement with the Rush-Henrietta Central School District for the Purchase of Fuel for Vehicles of the Monroe County Sheriff's Office
- County Executive Adam J. Bello

E. OTHER MATTERS

F. ADJOURNMENT

The next meeting of the Public Safety Committee is scheduled for Monday, August 23, 2021 at 5:30 p.m.



ATTACHMENTS:

Description File Name

- ▣ November 23, 2020 11.23.20_Public_Safety_Draft_Minutes.pdf

Summary of Minutes

PUBLIC SAFETY COMMITTEE

November 23, 2020

5:30 p.m.

Chairwoman Boyce called the meeting to order at 5:33 p.m.

MEMBERS PRESENT: Karla F. Boyce (Chair), Matthew Terp (Vice Chair), Frank X. Allkofer, Kathleen A. Taylor, Sean M. Delehanty, Sabrina A. LaMar (RMM), Ernest S. Flagler-Mitchell, Frank Keophetlasy, Yversha M. Roman, Dr. Joe Carbone (Ex-Officio)

ADMINISTRATION PRESENT: Robert Franklin (CFO), Dawn Staub (District Attorney Admin), Tim Donaher (Public Defender), Richard Tantalo (Public Safety Director), Virginia Verhagen (Central Police Services), Korey Brown (Undersheriff), Jennifer Curley (Sheriff's Admin), John Clarke (Crime Lab), Mark Funk (Conflict Defender), Jennifer Ball (Probation), Tim Murphy (Real Property Director), Paul Ciminelli (Sheriff's Counsel), Chris Fish (911 Manager)

SUSPENSION OF THE RULES: Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Committee Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

MOVED by Legislator Roman, SECONDED by Legislator Allkofer.
APPROVED: 9-0

PUBLIC FORUM: There were no speakers.

PRESENTATIONS: Robert Franklin, Chief Financial Officer, Finance Department
Proposed 2021 Monroe County Budget
As it pertained to the Public Safety Committee
(The presentation was followed by a question and answer period)

APPROVAL OF MINUTES: The minutes of February 24, 2020 were approved as submitted.

NEW BUSINESS:

20-0343 - Acceptance of a Grant from the United States Department of Justice Drug Enforcement Administration for the Drug Enforcement Administration Task Force – County Executive Adam J. Bello

MOVED by Legislator Terp, SECONDED by Legislator Allkofer.
ADOPTED: 9-0

20-0344 - Acceptance of a Grant from the New York State Division of Homeland Security and Emergency Services for the Operation Stonegarden Program and Authorize Intermunicipal Agreements with the Towns of Greece, Irondequoit, and Webster – County Executive Adam J. Bello

MOVED by Legislator Allkofer, SECONDED by Legislator Taylor.
ADOPTED: 9-0

- 20-0345 -** Acceptance of a Grant from the New York State Division of Homeland Security and Emergency Services for the FY2020 Targeted Violence and Terrorism Prevention Grant Program – County Executive Adam J. Bello

MOVED by Legislator Taylor, SECONDED by Legislator Delehanty.
ADOPTED: 9-0

- 20-0346 -** Amend Resolution 405 of 2017, as Amended by Resolution 88 of 2020 and Resolution 254 of 2020 to Authorize Two One-Year Contract Renewals with PrimeCare Medical of New York, Inc. – County Executive Adam J. Bello

MOVED by Legislator Delehanty, SECONDED by Legislator Allkofer.
ADOPTED: 9-0

- 20-0347 -** Acceptance of a Grant from New York State Office of Indigent Legal Services for the Third Counsel at First Appearance Program in the Office of the Public Defender – County Executive Adam J. Bello

MOVED by Legislator Terp, SECONDED by Legislator Allkofer.
ADOPTED: 9-0

- 20-0348 -** Authorize an Intermunicipal Agreement with the City of Rochester for a Firearms Instructor – County Executive Adam J. Bello

MOVED by Legislator Taylor, SECONDED by Legislator Delehanty.
ADOPTED: 9-0

- 20-0349 -** Acceptance of a Grant from the New York State STOP-DWI Foundation, Inc. for DWI Crackdown Weekend Enforcement and Authorize Intermunicipal Agreements with Eight Municipalities – County Executive Adam J. Bello

MOVED by Legislator Delehanty, SECONDED by Legislator Terp.
ADOPTED: 9-0

- 20-0350 -** Authorize Intermunicipal Agreements with Ten Municipalities in Monroe County for the STOP-DWI Law Enforcement Program – County Executive Adam J. Bello

MOVED by Legislator Terp, SECONDED by Legislator Allkofer.
ADOPTED: 9-0

- 20-0351 -** Authorize an Intermunicipal Agreement with Orleans County for the Location and Operation of Interoperable Communications Equipment – County Executive Adam J. Bello

MOVED by Legislator Allkofer, SECONDED by Legislator Taylor.
ADOPTED: 9-0

OTHER MATTERS:

ADJOURNMENT:

There being no other matters, Chairwoman Boyce adjourned the meeting at 8:08 p.m.

The next Public Safety Meeting is scheduled for **Monday, December 21, 2020** at 5:30 p.m.

Respectfully submitted,
Jack Moffitt
Clerk of the Legislature



ATTACHMENTS:

Description File Name

- ▣ January 7, 2021 1.7.21_Public_Safety_Draft_Minutes.pdf

Summary of Minutes

PUBLIC SAFETY COMMITTEE

January 7, 2021

5:00 p.m.

Chairwoman Boyce called the meeting to order at 5:04 p.m.

MEMBERS PRESENT: Karla F. Boyce (Chair), Paul Dondorfer (Vice Chair), Frank X. Allkofer, Kathleen A. Taylor, Sean M. Delehanty, Sabrina A. LaMar (RMM), Ernest S. Flagler-Mitchell, Frank Keophetlasy, Yversha M. Roman, Dr. Joe Carbone (Ex-Officio)

SUSPENSION THE RULES: Be It Moved, that Article II, Section 545-6 of the Rules of the Monroe County Legislature, be, and hereby is suspended and modified by prohibiting public in-person access to the Committee Meeting in favor of video viewing or listening to, and recording and later transcription of such proceeding.

MOVED by Legislator Delehanty, SECONDED by Legislator LaMar.
APPROVED: 9-0

PUBLIC FORUM: There were no speakers.

PRESENTATION: Michael Fowler, Chief Deputy, Monroe County Sheriff's Office Regarding the Executive Order No. 203 for Police Reform and Reinvention Plan. There was a brief question and answer session following the presentation.

OTHER MATTERS:

ADJOURNMENT:

There being no other matters, Chairwoman Boyce adjourned the meeting at 6:51 p.m.

The next Public Safety Meeting is scheduled for **Monday, January 25, 2021** at 5:30 p.m.

Respectfully submitted,
David Grant
Deputy Clerk of the Legislature



ATTACHMENTS:

Description File Name

▣ Referral R21-0258.pdf



Monroe County Legislature

Office of the Republican Majority

July 12, 2021

To the Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

OFFICIAL FILE COPY
No. <u>210258</u>
Not to be removed from the Office of the Legislature Of Monroe County
Committee Assignment
AGENDA/CHARTER
PUBLIC SAFETY

Subject: Enact a Local Law Entitled "Regulating Sale of Used Catalytic Converters"

Honorable Legislators:

Throughout the past several weeks and months, there has been a noticeable increase in the theft and subsequent scrapping for cash profit of Catalytic Converters throughout Monroe County. These devices, found on almost any automobile, have increased in value dramatically due to the precious minerals contained within them. One mineral, rhodium was valued at \$14,500 per ounce by December of 2020, palladium is currently valued at \$2,336 per ounce, making these easily removable devices welcome targets for theft.

These devices are being stolen from personal vehicles sitting in driveways, businesses that maintain a fleet of trucks or vans, and even school districts where several were stolen from school busses. This is not just a local trend, across the country there is a dramatic increase in the thefts of these devices. Typically, these items are scrapped for a quick cash profit to fund drug addictions, drug distribution organizations and other criminal activity. This local law will address both the quick cash turnaround incentive for criminals trading in stolen catalytic converters and will require individuals and scrap yards to present and maintain records of the proper documents proving a scrapped catalytic converter came from a legally owned or traded in car and not acquired through a theft.

In order to scrap a catalytic converter, the individual trading in the item must provide documentation such as a vehicle registration, title, or bill of sale, as well as a copy of their valid government I.D., illustrating that the catalytic converter being scrapped came from a legally owned vehicle. Licensed automotive garages must also provide proof that a catalytic converter being scrapped came from a vehicle that was being serviced by their business. To aid law enforcement agencies in the investigations of stolen catalytic converters, scrap yards must maintain copies of these records for a minimum of 3 years, in the event a stolen catalytic converter was scrapped at their business and police need to follow up in the course of their investigation.

The main incentive for these thefts is the ability to make large sums of cash quickly. To address this, scrapyards will now be mandated to wait no fewer than 14 days to issue payment for a scrapped catalytic converter. By eliminating the quick cash incentive for this crime, as was done with high valued items in a similar law passed by this Honorable Body in 2013 pertaining to Pawn Shops, the prevalence of this type of theft is expected to decrease dramatically.

In addition to the new requirements for scrapping and cashing catalytic converters, the penalties for scrapping an illegally obtained catalytic converter will be increased. Under this new law, violators will be charged with a class A misdemeanor, receive a fine of no more than \$300 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense.

This local law is an effective and prudent way to deter the theft and scrapping of illegally obtained catalytic converters. In order to repair and replace one of these devices, depending on the size of the vehicle, the cost can range from \$500 to \$2,000. Monroe County residents and businesses should not have to bear the costs of these thefts. Legislation similar to this proposed law has been passed in West Virginia, South Carolina, and numerous other locations throughout the United States and led to a lower number of catalytic converter thefts. It is our hope that this Honorable Body passes and the County Executive enacts this law expeditiously.

The specific legislative actions required are:

1. Schedule and hold a public hearing on the proposed local law.
2. Adopt the attached Local Law entitled, "Regulating Sale of Used Catalytic Converters" as written.

The legislative action requested in this referral is not an "Action," as that term is defined in 6 NYCRR § 617.2(b), and is not subject to review under the State Environmental Quality Review Act.

This action will have no impact on the revenues or expenditures of the current Monroe County budget.

Respectfully Submitted,



Paul Dondorfer
Monroe County Legislator
District 9



Karla F. Boyce
Monroe County Legislator
District 5

By Legislators _____ and _____.

Intro No. ____

LOCAL LAW NO. ____ OF 2021

ENACT A LOCAL LAW ENTITLED "REGULATING SALE OF USED CATALYTIC CONVERTERS"

BE IT ENACTED BY THE LEGISLATURE OF THE COUNTY OF MONROE, as follows:

Section 1. Part IV, General Local Laws of Monroe County, is hereby amended to add a new chapter to include the following Local Law:

CHAPTER 385, REGULATING SALE OF USED CATALYTIC CONVERTERS

§ 385-1. Title.

This Chapter shall be known as the law "Regulating Sale of Used Catalytic Converters."

§ 385-2. Legislative Intent.

- A. This Legislature hereby finds that the County of Monroe has experienced an increase in thefts of used catalytic converters from vehicles in our community and their resale to scrap metal recyclers.
- B. This Legislature finds that requiring scrap metal recyclers doing business in Monroe County to delay payments to sellers of used catalytic converters for at least 14 days after receipt will allow law enforcement additional time to investigate the theft of used catalytic converters and discourage criminal conduct.
- C. This Legislature also finds that requiring scrap metal recyclers to maintain records of the purchase of used catalytic converters will aid law enforcement in the investigation of thefts of such devices.

§ 385-3. Purpose.

The purpose of this Chapter to discourage the theft of catalytic converters from vehicles in Monroe County by requiring scrap metal recyclers doing business in Monroe County to delay payments to sellers of used catalytic converters for at least 14 days after receipt and requiring scrap metal recyclers to maintain records of the purchase of such devices for three years in order to aid law enforcement in the investigation of the theft of such devices.

§ 385-4. Definitions. As used in this section:

- A. "Catalytic Converter" means a catalytic converter or other equipment or feature constituting an operational element of a motor vehicle's air pollution control system or mechanism required by federal or state law or by any rules or regulations promulgated pursuant thereto, as amended from time to time.
- B. "Repair Shop" means a business enterprise that repairs vehicles and is certified by the New York State Department of Motor Vehicles.

- C. "Scrap Metal Recycler" means a vehicle dismantler, salvage pool, mobile car crusher, itinerant vehicle collector or scrap processor doing business in Monroe County; but shall not include a dealer registered pursuant to section four hundred fifteen of the New York Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title, registration or other ownership document has been issued for the vehicle from which the Used Catalytic Converter was removed, or a Repair Shop.
- D. "Used Catalytic Converter" means a Catalytic Converter that was previously installed in a vehicle and which has been removed from such vehicle in whole or in part.

§ 385-5. Prohibition.

No Scrap Metal Recycler shall purchase or take possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter from any person or entity other than a dealer registered pursuant to section four hundred fifteen of the Vehicle and Traffic Law, an insurance company, a governmental agency, a person in whose name a certificate of title or other ownership document has been issued for the vehicle from which the catalytic converter was removed, a Repair Shop, or a person registered or certified or issued an identification number for the vehicle under the Vehicle and Traffic Law.

§385-6. Maintenance of Records by Scrap Metal Recycler.

- A. Each Scrap Metal Recycler who purchases or takes possession of, including for purposes of recycling or rebuilding, a Used Catalytic Converter shall record the purchase of the Used Catalytic Converter documenting the date of purchase, the name of seller, the seller's address or, in the case that the seller is an individual, the seller's residence address by street, number, city, village or town, the seller's driver's license number or information from a government issued photographic identification card, if any, or by such description as will reasonably locate the seller, or, if the seller is a Repair Shop, the Repair Shop's New York State Department of Motor Vehicles certification number. Such record shall be preserved by the Scrap Metal Recycler for a period of three years from the date of receipt of the Used Catalytic Converter. Such records shall be available for inspection by any law enforcement authority with jurisdiction over the Scrap Metal Recycler.
- B. Each Scrap Metal Recycler shall cause the record of purchase of the Used Catalytic Converter to be signed by the seller or his or her agent. It shall be unlawful for any seller or agent to refuse to furnish such information or to furnish incorrect or incomplete information. The Scrap Metal Recycler shall make and retain a copy of the government issued photographic identification card used to verify the identity of the person from whom the Used Catalytic Converter was purchased or obtained and shall retain the copy in a separate book, register or electronic archive for three years from the date of purchase. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

§385-7. Payments.

Payments by any Scrap Metal Recycler to a business, agency or private citizen who turns in a catalytic converter for scrap will be issued through check, with a copy of the check being held by the Scrap Metal Recycler for three years from the date of disbursement. Such records shall be available for inspection by any law enforcement agency having jurisdiction over the Scrap Metal Recycler.

§385-8. **Violations.**

- A. Any person that violates this Chapter shall: (i) be guilty of a class A misdemeanor; and (ii) upon conviction thereof, shall be punished by a fine not to exceed \$300 for the first offense, \$500 for the second offense, and \$1,000 for each subsequent offense.
- B. This Chapter shall be enforced by any local law enforcement agency having jurisdiction over the Scrap Metal Recycler.

§385-9. **Severability.**

If any clause, sentence, paragraph, section or chapter of this local law shall be adjudged by any court of competent jurisdiction to be invalid, such determination shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, section or chapter thereof directly involved in the proceeding in which such adjudication shall have been rendered. This local law shall not supersede any applicable state or federal laws or regulations with regard to the subject matters set forth herein.

Section 2. This local law shall take effect upon filing with the Secretary of State pursuant to Section 27 of the New York State Municipal Home Rule Law.

Agenda/Charter Committee.
File No. 21-____.LL

ADOPTION: Date: _____ Vote: _____

ACTION BY THE COUNTY EXECUTIVE

APPROVED: _____ VETOED: _____

SIGNATURE: _____ DATE: _____

EFFECTIVE DATE OF LOCAL LAW: _____



ATTACHMENTS:

Description File Name

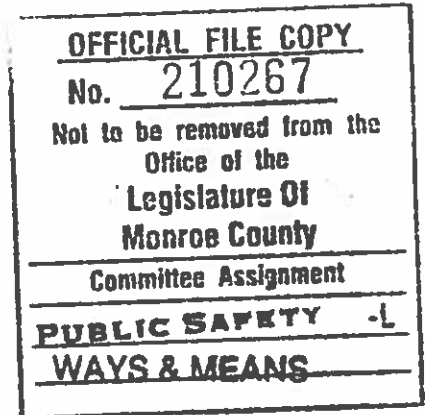
▣ Referral R21-0267.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive



July 9, 2021

To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize the Monroe County Sheriff's Office to Accept a Gift of a Belgian Cross Horse Named Scout from Owner Nicole Erhardt

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body authorize the Monroe County Sheriff's Office to accept a gift of a 15-year old Belgian Cross horse named Scout. The horse is being gifted by owner Nicole Erhardt and has an estimated value of approximately \$12,000.

The horse will be used by the Monroe County Sheriff's Office Mounted Unit. A provision will be included in the acceptance that if the horse is retired from law enforcement service, it will be returned to the owner. Additionally, if the horse should pass away during MCSO use, the carcass will be returned to the owner for burial on their land.

The specific legislative action required is to authorize the County Executive on behalf of the Monroe County Sheriff's Office to accept a gift of a 15-year old Belgian Cross horse named Scout from owner Nicole Erhardt at an estimated value of approximately \$12,000.

This gift will have no impact on the revenues or expenditures of the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,

Adam J. Bello
Monroe County Executive

110 County Office Building • 39 West Main Street • Rochester, New York 14614

(585) 753-1000 • fax: (585) 753-1014 • www.monroecounty.gov • e-mail: countyexecutive@monroecounty.gov

Monroe County Legislature - July 26, 2021



ATTACHMENTS:

Description File Name

▣ Referral R21-0284.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

July 9, 2021

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Committee Assignment
PUBLIC SAFETY -L
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To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize an Intermunicipal Agreement with the Churchville-Chili Central School District for Reimbursement to the Monroe County Sheriff's Office School Resource Program

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body authorize an intermunicipal agreement with Churchville-Chili Central School District in an amount not to exceed \$101,880 for reimbursement to the Monroe County Sheriff's Office School Resource Program for the period of September 1, 2021 through June 30, 2022.

Churchville-Chili Central School District will be provided a full-time Monroe County Sheriff's School Resource Officer ("SRO") during the 180 day school year, plus an additional 8 administrative days and overtime deemed necessary by the request and approval of the District and Sheriff's Office. The SRO's primary duty is to promote an atmosphere where students, teachers, and staff feel safe. The SRO may assist in the investigation of suspected criminal activity occurring on Churchville-Chili Central School District property and/or related to Churchville-Chili Central School District. This assistance shall be provided in consultation with school administrators, in accordance with New York State Law and Churchville-Chili Central School District policy. As an educator, working with classroom teachers and other Churchville-Chili Central School District personnel, the SRO may present information and answer questions on a variety of topics, such as the law, drugs, safety, crime prevention, and violence prevention, concepts of safety, traffic laws, general law, and crime prevention techniques. The goal of the presentations is to increase student, staff, and community awareness and understanding of laws and personal safety. The SRO shall also perform such other security and/or law enforcement services as may be reasonably assigned by the District Superintendent, in consultation with the Sheriff, as appropriate.

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The District will fund the salary and fringes associated with the Sheriff's Office SRO assigned during the 180 day school year, plus an additional 8 administrative days.

The specific legislative action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with Churchville-Chili Central School District in an amount not to exceed \$101,880 for reimbursement to the Monroe County Sheriff's School Resource Program for the period of September 1, 2021 through June 30, 2022.

This action is a Type II Action pursuant to 6 NYCRR § 617.5(c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

This agreement is revenue generating and no net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,



Adam J. Bello
Monroe County Executive

CD:jc



ATTACHMENTS:

Description File Name

▣ Referral R21-0285.pdf



Office of the County Executive

Monroe County, New York

Adam J. Bello
County Executive

July 9, 2021

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Committee Assignment
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To The Honorable
Monroe County Legislature
407 County Office Building
Rochester, New York 14614

Subject: Authorize an Intermunicipal Agreement with the Rush-Henrietta Central School District for the Purchase of Fuel for Vehicles of the Monroe County Sheriff's Office

Honorable Legislators:

This matter is being referred to Your Honorable Body at the request of Sheriff Todd K. Baxter.

I recommend that Your Honorable Body authorize an intermunicipal agreement with the Rush-Henrietta Central School District for the purchase of fuel for vehicles of the Monroe County Sheriff's Office for the period of October 1, 2021 through September 30, 2022, with the option to renew for three (3) additional one-year periods at a rate of the New York State contract price plus ten cents (\$.10) per gallon.

The Sheriff's Office has purchased gasoline from the Rush-Henrietta Central School District in the past in an effort to reduce the time spent driving vehicles to fueling sites, thus increasing patrol coverage. This agreement is consistent with other fueling arrangements negotiated by the Sheriff's Office.

The specific legislative action required is to authorize the County Executive, or his designee, to execute an intermunicipal agreement, and any amendments thereto, with the Rush-Henrietta Central School District for the purchase of fuel for vehicles of the Monroe County Sheriff's Office for the period of October 1, 2021 through September 30, 2022, with the option to renew for three (3) additional one-year periods at a rate of the New York State contract price plus ten cents (\$.10) per gallon.

This action is a Type II Action pursuant to 6 NYCRR § 617.5 c)(26) ("routine or continuing agency administration and management, not including new programs or major reordering of priorities that may affect the environment") and is not subject to further review under the State Environmental Quality Review Act.

Funding for this contract is included in the 2021 operating budget of the Office of the Sheriff, fund 9001, funds center 3803030000, Sheriff Road Patrol B Zone, and will be requested in future years budgets. No additional net County support is required in the current Monroe County budget.

I recommend that this matter be referred to the appropriate committee(s) for favorable action by Your Honorable Body.

Sincerely,
Adam J. Bello
Monroe County Executive